

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**WINSTON FRANCIS, JR., as the personal
representative of the Estate of Winston
Francis, Sr.[] and as the administrator of the
Estate of Winston Francis, Sr.,**

Plaintiff,

v.

BANK OF NOVA SCOTIA,

Defendant.

2007-CV-0082

**TO: Joel H. Holt, Esq.
James Bernier, Jr., Esq.**

ORDER DENYING DEFENDANT'S MOTION FOR EXTENSION OF TIME

THIS MATTER came before the Court upon Defendant's Motion For Extension of Time to Depose Ingema Khan (Docket No. 146). Plaintiff filed an opposition to said motion, and Plaintiff filed a reply thereto.

The record reflects that a status conference was held in this matter on March 13, 2008. Subsequently, the Court entered a Scheduling Order (Docket No. 140). Paragraph numbered one (1) of that order specifically states that the "deposition of Ingema Khan will be completed by April 10, 2008." The Court does not recall Defendant stating at the said

Francis v. The Bank of Nova Scotia

2006-CV-0082

Order Denying Defendant's Motion For Extension of Time

Page 2

status conference that it did not know Mr. Kahn's whereabouts as the basis for extending the time to take his deposition. Moreover, Plaintiff asserts that Mr. Kahn's identification as a bank customer as well as his place of employment has been known to Defendant since at least December 11, 2007.

Accordingly, it is now hereby **ORDERED** that Defendant's Motion For Extension of Time (Docket No. 146) is **DENIED**.

ENTER:

Dated: April 11, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE